

Town of Frederick Board of Trustees



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AM 2010-057


To Consider an Amendment to the Frederick Municipal Code Regarding Allowing Golf Carts in Areas with Homeowner Association Regulations

Agenda Date: June 8, 2010

Attachments:

- a. Ordinance
- b. Moore Farm Regulations

Fiscal Note: None noted


Finance Manager

Submitted by: Jennifer Simmons 
Planning Director

Approved for Presentation: 
Town Administrator

AV Use Anticipated Projector _____ Laptop _____

Certification of Board Approval:

Town Clerk

Date

Summary Statement:

The Moore Farm Homeowners Association has requested the ability to allow golf carts to be driven within the neighborhood.

Detail of Issue/Request:

On April 21, 2010, the Town received a written request to consider allowing the residents of Moore Farm to drive golf carts within the community and to the adjacent golf course. The request included draft regulations that would be applicable to all Moore Farm residents and would be enforced by the Homeowners Association.

The regulations include the following rules:

1. Golf carts may only be operated on public streets within the Moore Farm Subdivision. Golf carts may not cross or enter onto Bella Rosa Boulevard (aka Weld County Road 20) or any other street outside the Moore Farm Subdivision.
2. A golf cart may only be operated on public roads or streets or cart paths within Moore Farm and the Bella Rosa Golf Club and only by a person over the age of 16 who possesses a valid Colorado drivers license.
3. Carts can use the cart paths provided in Moor Farm. A golf cart shall not be driven on a sidewalk except where it is constructed over width to accommodate a golf cart.
4. A golf cart may be operated only during the hours between sunrise and sunset.
5. A golf cart must be "street legal" and be equipped with brake lights and turn signals. A golf cart must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both front and rear.
6. Golf carts must satisfy all applicable state regulations pertaining to low speed electric vehicles.

A handout including all Guidelines, Rules, and Restrictions would be delivered by the homeowners association (HOA) to each homeowner in the community and placed on the HOA website. The HOA will be responsible to police violations within Moore Farms. The attached ordinance provides the Police Department the authority to make municipal citations when necessary.

The homeowners association will be required to pay for, install, and coordinate with the Town Engineer the placement of signage at the entrances into the subdivision identifying that automobile drivers may encounter golf carts. These signs must meet the requirements of the Manual on Uniform Traffic Control Devices as adopted by the Town.

Other subdivisions may make similar requests. Should the homeowners association put sufficient rules and regulations in place, the Town would consider allowing similar requests. Golf carts would not be allowed to travel on arterial streets, any street with a speed limit greater than 35 MPH, and can't cross an arterial street unless and until there is a plan and location approved by the Town Engineer. The Town would have the right to withdraw the right to operate golf carts on public streets in any or all subdivisions, if in the Town's sole discretion, it is determined to be unsafe or unacceptable for any reason.

Legal/Political Considerations:

Colorado statutes provide general standards for operation of low-speed electric vehicles and "golf cars;" the type of golf cart proposed by the Moore Farm HOA would fall into one or both of these state categories. In order to enable legal operation of these vehicles in the Moore Farm subdivision, the Town should adopt its own standards to run in parallel to any HOA covenants. The Town is not preempted from regulating such vehicles on roads dedicated to or owned by the Town, but may not authorize operation on state or county highways. The subdivision provides a unique scenario for operation of golf carts in a manner that does not interfere with traffic on town, county or state roads or highways. Facilitating Moore Farm's adoption of HOA covenants on such vehicles will likely advance the Town's objectives in increasing community use of the Bella Rosa golf course as well.

Alternatives/Options:

The Board of Trustees may choose to:

1. Do nothing.
2. Approve the ordinance as drafted.
3. Approve the ordinance with amendments.
4. Deny the ordinance.

Financial Considerations:

Not Applicable

Staff Recommendation:

Staff recommends approving the ordinance as drafted.